

United States District Court
Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANIK A R. RIECKBORN, Individually and
on Behalf of All Others Similarly Situated

Plaintiff,

v.

VELTI PLC, ALEX MOUKAS, WILSON
W. CHEUNG, and JEFFREY G. ROSS et
al.,

Defendants.

Case No. [13-cv-03889-WHO](#)

**ORDER CONSOLIDATING CASES
AND SETTING CASE MANAGEMENT
DEADLINES**

CHRIS VAFINIS, Individually and on Behalf of
All Other Persons Similarly Situated,

Plaintiff,

v.

VELTI PLC, ALEX MOUKAS, WILSON W.
CHEUNG, and JEFFREY G. ROSS,

Defendants.

CASE NO.: 4:13-cv-03954-YGR

HAN LEE, Individually and On Behalf of All
Others Similarly Situated,

Plaintiff,

v.

VELTI PLC, ALEX MOUKAS, WILSON W.
CHEUNG, and JEFFREY G. ROSS,

Defendants.

CASE NO.: 3:13-cv-04140-SI

1 RAYMUND MANABAT, Individually and On)
 2 Behalf of All Others Similarly Situated,)

3 Plaintiff,)

4 v.)

5 VELTI PLC, ALEX MOUKAS, WILSON W.)
 6 CHEUNG, JEFFREY G. ROSS, WINNIE W.)
 7 TSO, CHRIS KASKAVELIS, DAVID W. MANN,)
 8 DAVID C. HOBLEY, JERRY GOLDSTEIN,)
 9 NICHOLAS P. NEGROPONTE, JEFFERIES &)
 10 COMPANY, INC., RBC CAPITAL MARKETS,)
 11 LLC, NEEDHAM & COMPANY, LLC,)
 12 CANACCORD GENUITY INC., and)
 13 THINKEQUITY LLC,)

14 Defendants.)
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CASE NO.: 3:13-cv-04606-JSC

Pursuant to Federal Rule of Civil Procedure 16, Civil L.R. 23-1(b), and Manual for Complex Litigation, Fourth §§11.12, 11.21 and 31 (2004), the Court hereby orders, as follows:

CONSOLIDATION OF RELATED CASES

1. The actions listed in the captions above are related cases within the meaning of Civil L.R. 3-12. Pursuant to Fed. R. Civ. P. 42(a), these cases are hereby consolidated into Civil Action No. 3:13-cv-03889-WHO for pretrial proceedings before this Court. The consolidated action shall be captioned: "*In re Velti plc Securities Litigation.*"

2. All related actions that are subsequently filed in, or transferred to, this District shall be consolidated into this action for pretrial purposes. This Order shall apply to every such related action, absent order of the Court. A party that objects to such consolidation, or to any other provision of this Order, must file an application for relief from this Order within thirty (30) days after the date on which a copy of the order is mailed to the party's counsel, pursuant to Paragraph 7, *infra*.

3. This Order is entered without prejudice to the rights of any party to apply for

severance of any claim or action, for good cause shown.

MASTER DOCKET AND CAPTION

4. The docket in Civil Action No. 3:13-cv-03889-WHO shall constitute the Master Docket for this action.

5. Every pleading filed in the consolidated action shall bear the following caption:

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

In re VELTI PLC SECURITIES) Master File No. 3:13-cv-03889-WHO
LITIGATION)

CLASS ACTION

_____) This Document Relates To:
_____)
_____)
_____)
_____)
_____)

6. The file in Civil Action No. 3:13-cv-03889-WHO shall constitute a Master File for every action in the consolidated action. When the document being filed pertains to all actions, the phrase "All Actions" shall appear immediately after the phrase "This Document Relates To:". When a pleading applies only to some, not all, of the actions, the document shall list, immediately after the phrase "This Document Relates To:", the docket number for each individual action to which the document applies, along with the last name of the first-listed plaintiff in said action.

7. The parties shall file a Notice of Related Cases pursuant to Civil L.R. 3-12 whenever a case that should be consolidated into this action is filed in, or transferred to, this District. If the Court determines that the case is related, the clerk shall:

- (a) place a copy of this Order in the separate file for such action;
- (b) serve on plaintiff's counsel in the new case a copy of this Order;
- (c) direct that this Order be served upon defendants in the new case; and
- (d) make the appropriate entry in the Master Docket.

LEAD PLAINTIFF'S COUNSEL

8. The Court has designated Bobby Yadegar/Ygar Capital LLC as Lead Plaintiff and Lead Plaintiff's Counsel at the Weiser Law Firm, P.C. Lead Plaintiff's Counsel shall have authority to speak for, and enter into agreements on behalf of, plaintiffs in all matters regarding pretrial procedures, discovery and settlement negotiations. Lead Plaintiff's Counsel shall manage the prosecution of this litigation to avoid duplicative or unproductive activities. Lead Plaintiff's Counsel shall be responsible for coordination of all activities and appearances on behalf of plaintiffs and dissemination of notices and orders. Lead Plaintiff's Counsel shall be responsible for communications with the Court. Lead Plaintiff's Counsel shall maintain a master service list of all parties and counsel.

9. Defendants' counsel may rely upon agreements made with Lead Plaintiff's Counsel. Such agreements shall be binding on all plaintiffs.

PLEADINGS AND MOTIONS

10. Defendants are not required to respond to the complaint in any action consolidated into this action, other than a consolidated complaint or a complaint designated as the operative complaint by Lead Plaintiff. The consolidated or designated complaint shall be the operative complaint and shall supersede all complaints filed in any of the actions consolidated herein.

11. Within ten (10) days of the entry of this Order, the parties shall meet and confer and file with the Court a stipulation and proposed order setting forth a proposed schedule for the filing of a consolidated complaint (or the designation of an operative complaint) and a briefing schedule for defendants' anticipated motions in response to the consolidated or designated

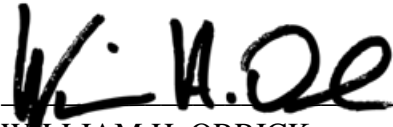
1 complaint.

2 CASE MANAGEMENT

3 12. In view of the foregoing and in light of the mandatory discovery stay imposed by
4 the Private Securities Litigation Reform Act of 1995, the deadlines established in the Orders
5 setting Initial Case Management Conferences and ADR deadlines in each of the above-captioned
6 individual actions are vacated, and the Initial Case Management Conferences set in each of the
7 individual actions are vacated.

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9 **IT IS SO ORDERED.**

10 Dated: December 3, 2013

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12 WILLIAM H. ORRICK
13 United States District Judge
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